

The Sun

WILLIAM M. LAFAN.

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The Facts and the Remedy.

When Mr. Justice WHITE delivered the opinion of the four dissenting judges in the Trans-Missouri Freight Association case, in which the Supreme Court established the rule that the Sherman law forbade all contracts "in restraint of trade," without exception, he thus forecast the future as the decision shaped it: "But conceding for the sake of argument that the words 'every contract in restraint of trade' as used in the act of Congress in question prohibit all such contracts, however reasonable they may be, and therefore that all that great body of contracts which are commonly entered into between individuals and corporations, and which promote and develop trade, and which have been heretofore considered as lawful, are no longer such; and conceding, also, that agreements entered into by associations of workmen to peacefully better their condition either by obtaining an increase or preventing a decrease of wages, or by securing a reduction in the hours of labor, or for mutually protecting each other from unjust discharge, or for other reasonable purposes, have become lawful, it remains to consider whether the provisions of the act of 1890 are intended to apply to agreements made between carriers for the purpose of classifying the freight to be by them carried."

It is the recognition of the truth of these conclusions that has now brought the sense of panic to the business world. The Northern Securities decision is a declaration at the threshold of the Supreme Court that the rule forbidding contracts that can be labeled "in restraint of trade," reasonable or unreasonable, even though creating on one side ten times the trade that they restrain on the other, is the highest rule known to Federal law; that the Constitution provides to no man and to no enterprise a safeguard against the Sherman anti-trust act's inexorable restrictions.

Since Justice WHITE spoke, the United States Department of Justice, in the person of the Attorney-General, speaking in behalf of a political campaign entered into by the Administration of which he was a member, has advanced the proposition that, through the interstate commerce clause in the Constitution, every phase and feature of American industry as now organized is brought within the immediate and absolute control of Congress; and the decision in the lottery cases goes far to uphold this theory.

This, therefore, is the situation: Logically, under the law as declared, our entire industrial organization is a mass of lawlessness, as it is permeated with combinations and contracts in restraint of trade. Nothing but the general feeling that the universal upheaval which the law calls for must not be permitted and an Administration guarantee of good behavior in accordance with this view secure us as we are. All theories that everything outside of the Northern Securities merger is safe rest on something else than the Northern Securities decision, and are inadmissible under it.

We are describing the situation without reserve, in order that the public may consider soberly the proper course to take under the circumstances. It would be unwise indeed, it would be wrong—to lose thought of the national danger which Administrative impulse, or worse still, the deliberate partisan intent of an Administration hostile to the prevailing order of things, might precipitate. It will be unwise, therefore, to rely upon any means of safety short of the repeal or modification of the Sherman law.

Bellairs in Arizona and Elsewhere.

Arizona newspapers just received by mail and recent telegraphic information from Phoenix in that Territory represent "Captain BELLAIRS" as actively engaged in winding up his connection with the Wickenburg Mining, Smelting and Development Company. This is the concern whose circular, under "President E. G. BELLAIRS' own name, certifies that he, the Captain, is "a man of unquestioned integrity."

The process of emerging from the mining, smelting and development business has been attended, in Captain BELLAIRS' case, by the unpleasant incident of his arrest on a charge of embezzlement, brought by his friend and fellow official in the Wickenburg company, Mr. CLAUDE B. BRUNSON. It was a trifling matter of \$125 or so, and the Captain and ex-President seems to have got himself out of the Sheriff's hands by promptly disgoring the cash.

Much more interesting than this incident have been BELLAIRS' autobiographical essays for the information of the honest capitalists, statesmen, railroad magnates, politicians, journalists, mine-ologists and society leaders whom he has managed to impress with his merits since he went out to Arizona. His indignation was unbounded over the report that it was being said in the East that he was the CHARLES BALLETINE of Inspector BYRNE'S "Professional Criminals of America." He denied utterly his identity with that eminent scoundrel. He visited the newspaper offices to demand a suspension of public judgment in Arizona until he could refute the libels and punish the libelers of his honorable reputation. He promised to produce documentary evidence to establish the fact that he was not CHARLES BALLETINE, but none other than EDGAR GERALD BELLAIRS, a member of a well-known Norfolk family and a relative of Sir WILLIAM BELLAIRS, educated at Cheltenham College, and holding a commission as an officer of the British Army.

It is proper to say that the Captain's descriptions of his military career have been various, although not necessarily conflicting. In Arizona he has apparently represented himself as an ex-officer of the Regular service, with a record in

India and Egypt; and at other times as a soldier who derives his title of Captain from having commanded "a troop of the Norfolk Volunteer Horse."

Our readers who have followed the developments concerning BELLAIRS will read from an editorial article printed as lately as April 8 by the Arizona Republican of Phoenix, under the somewhat remarkable caption, "Powerful Enemies After BELLAIRS and WOOD." Our esteemed contemporary solemnly remarks:

"It is but just to Captain BELLAIRS to say that he called at the editorial rooms of the Arizona Republican yesterday, when advised of this Sun's sensational charges, and made a general denial. He volunteered to produce, within a very few days, documentary proofs of his innocence, and evidence which will establish that THE SUN and Evening Post are confused as to his identity, taking him for somebody who is an international swindler, or, regardless of his innocence, are trying to crush him. He added that he would bring damage suits immediately against both papers."

"It is only fair that the public judgment be suspended until Captain BELLAIRS has had opportunity to present his side of the case."

"Following its policy of fairness toward the high and the low, the fortunate and the unfortunate, the Arizona Republican has refused to print, and will refuse to print, special dispatches from the East which merely echo the charges already made, but which throw no light on the question of guilt and innocence."

This was very just, generous and lady-like on the part of the management of the Arizona Republican. It shows what an impression can be made upon even a cautious mind by the magnetic presence of the impudent swindler whom one of the greatest of scamp collectors has described as a person of extraordinary suavity and cleverness, very successful in the part of the society confidence man. But in order that our contemporary may have no compunction in treating Captain BELLAIRS as he ought to be treated for the protection of the moral, financial, industrial and social interests of Arizona, we shall now furnish it, in this public manner, with a little additional information bearing directly upon the man's direct statements to this newspaper when he asked it to appeal for a suspension of judgment in his case.

First, as to his statement that EDGAR G. BELLAIRS was educated at the Cheltenham school in England:

"CHELTEHAM, England, April 8.—According to college register, EDGAR G. BELLAIRS has never been at the college."

Next, as to his statement that he can produce a commission as officer of the British Army:

"LONDON, April 12.—Army Lists from 1874 to 1890 inclusive have been searched. They show no BELLAIRS, except NORMAN EDWARD BRETTON BELLAIRS, who became Second Lieutenant, Royal Artillery, July 27, 1888."

There can be no confusion of Second Lieutenant NORMAN EDWARD BRETTON BELLAIRS of the Royal Artillery with the "BELLAIRS" that the Arizona Republican knows; for in 1888 the latter partner had already invaded Toronto as ERNEST BALLETINE, and was fully launched on his swindling career on this side of the Atlantic, and had perhaps already been once in jail.

Next, as to the statement that the friend of Gen. WOOD and the appellant for consideration at the hands of the Arizona Republican is a member of the Norfolk family of BELLAIRS and a relative of the distinguished soldier and Colonial administrator, Sir WILLIAM BELLAIRS of Clevedon:

"CLEVEDON, Somerset, April 12.—Have no knowledge of any one bearing name EDGAR G. BELLAIRS. Far as I am aware that name has never appeared in Army Lists."

This despatch is from Sir WILLIAM BELLAIRS. The same gentleman writes three days later as follows to our London office:

"Those whose right it is to bear the name of BELLAIRS cannot but be most thankful to your paper for its efforts exposing this impostor and swindler. His claims of being one of the Norfolk branch, of having commanded a troop of Norfolk Horse, which corps, by the way, has no existence, and of having held a commission in Suffolk Yeomanry under name BELLAIRS are wholly false."

We trust this will be enough to remove from the mind of our Phoenix contemporary the last lingering hope that its genial friend and collaborer in the laudable enterprise of booting Arizona, and likewise in the less praiseworthy enterprise of booting Gen. LEONARD WOOD for Governor of the Philippines, may be, as he asserts, a real EDGAR GERALD BELLAIRS, a Cheltenham graduate, a British officer, and a relative of Sir WILLIAM BELLAIRS. If it is not enough, we will cheerfully continue the process of differentiation.

We offer to do this in a purely fraternal spirit, for we have disliked to see so good a newspaper as the Arizona Republican associated with such a person as the bogus BELLAIRS, or so far subject to his rascally influence in matters of political policy as to be printing editorials like the following one, which was found in that journal on April 2, the very day THE SUN first called attention to "BELLAIRS" and his book defaming Governor TAFT and eulogizing Gen. LEONARD WOOD:

"GOVERNOR WOOD.

"supplies of No. 348, Forger and Swindler." The plan is good; the staff of selected contributors and special essayists we know to be good; but in order to carry proper weight in other parts of the country we should say that "Arizona as it is" had better try to get on without the assistance of

ERNEST BALLETINE,
 CHAR. BALLETINE,
 ERNEST ALAINE CHRISTON,
 E. ALAINE,
 E. A. CAMERON,
 EDGAR GERALD BELLAIRS.

and so forth, and so forth, Forger and Swindler.

The Manufacturers and the Public.

The practical usefulness of the heavy indictment of organized labor by the president of the National Association of Manufacturers, DAVID M. PARRY, and of the platform of principles adopted at the meeting of that association at New Orleans, depends upon the number and kind of people that heed.

Will the labor unions take to heart Mr. PARRY's sinister records of oppression and boycott and, putting them away, substitute what is good and lawful in the way of concerted action? If so, they will make the New Orleans platform their rule of action.

But, apart from the labor men, will Mr. PARRY and his colleagues pleading for liberty and law be listened to by the great body of his fellow citizens who, through out the anthracite coal strike, for example, because they had the feeling that the coal companies should have done something in the way of granting higher wages or fewer hours, condoned or ignored the unexampled lawlessness of that struggle and so brought victory to it and to its first of all?

It is in this outside sympathy that the spirit of outrage finds the chief source of courage for showing itself, and it is from that quarter that Mr. PARRY and his associates must first have relief.

The Changed Feeling in France Toward England.

Every recent American visitor in Paris has been struck by the difference between the present attitude of that city's newspapers toward the United States and that which they maintained during our war with Spain. Even more remarkable, and, from a political viewpoint more significant, seems the friendliness with which England and the English are now regarded in France, when we recall the opposite sentiment which found widespread and violent expression during the South African war. The proofs of this change are not confined to the cordiality with which preparations are making to welcome King EDWARD VII. in the French capital, but other indications may be noted in the speech recently made by M. DELAFOSSE, a representative of the Right in the Chamber of Deputies, and in the address delivered at a banquet of the British Associated Chambers of Commerce by M. CAMBON, the French Ambassador to the Court of St. James's. Scarcely a trace of the former Anglophobia is discernible at the present time in the Paris newspaper press, and we have no doubt that an attempt to caricature the existing British sovereign as his mother was caricatured would provoke a storm of indignation.

Not only is the change a pleasant one to ordinary Englishmen, who would rarely travel and sojourn in France than in any other Continental country, but it must be viewed with satisfaction by British statesmen, for the French people, in spite of their fondness for logic and their vigilant attention to their own interests, are exceptionally emotional, and, even in their international relations, are largely controlled by sentiment. There is reason to think that some of the causes of the present reaction from Anglophobia are sentimental. The present British sovereign when Prince of Wales made no secret of his liking for Paris and spent a great deal of time, more or less incoherent, in the French capital. The Parisians were not ungenerally flattered by the exhibition of sympathy. Under the circumstances, they cannot help feeling attracted to King EDWARD personally much more strongly than they are to the Czar, whom they find useful rather than congenial. Should the French people ever grow tired of their republican experiment the present head of the United Kingdom is precisely the type of ruler that they would desire. Another conciliatory influence has been operative during the last few months. It is proverbially true that we are apt to regard as friends the enemies of our enemies. The almost unanimous condemnation by the British press of the Anglo-German demonstration against Venezuela has filled the Parisians with delight. It has convinced them that the English people do not find the Germans sympathetic, and are inflexibly opposed to any political combination with the German Empire. The conviction may go far to revolutionize their own feeling with regard to Englishmen.

If France were not allied with Russia there would really be no reason why the French and English should not be knit by ties of political friendship. The dispute about the French shore of Newfoundland might easily be adjusted if England would frankly recognize the obligations which she contracted by the peace of Utrecht, and which she has reaffirmed by more than one subsequent treaty. In Central Africa there is room enough for the expansive ambitions of both countries. In Morocco their interests are by no means irreconcilable, for, as M. DELAFOSSE has pointed out, both France and England desire to uphold the independence of the present Sheroufian dynasty. It is true that Frenchmen have looked askance at the British occupation of Egypt, but they have already received compensations therefor in Tunisia and Madagascar, and they may fairly count upon securing another by and by in Syria. It is now settled that French and English, as well as German capital will be invested in the railway that is to be continued from Konia (the ancient Iconium), near the eastern edge of Asia Minor, to Mosul, and thence southward to Bagdad and Basora. Neither in the East Indies nor the West Indies are the interests of France and England necessarily conflicting. In fine, the most friendly relations between them are only likely to be dis-

turbed by the threatened collision between Japan and Russia. There is ground for thinking that France would feel constrained by her existing agreement with the Czar to place a part of the French fleet at his disposal, in which event the Japanese, by virtue of the treaty recently concluded, would have the right to demand the assistance of Great Britain. But, if France were friendly to England, she would be exceedingly unwilling to be drawn into such a contest, and her unwillingness might cause the St. Petersburg Government to make timely and large concessions in respect of Manchuria which would avert an outbreak of hostilities.

Unquestionably a cordial understanding between the French and English nations would rank conspicuously among the forces tending to preserve the peace of the world, and, consequently, we note with satisfaction the disappearance of Anglophobia in Paris.

The Fight Over Baker.

The rejected Railroad Commissioner, FRANK M. BAKER, is a victim of a party conflict caused by the undertaking of Governor ODELL to secure to himself the absolute personal control of the Republican organization in the Empire State. A reason one step nearer to the surface was the opposition which developed in the Legislature to the Governor's new policy on taxation, whereon the issue was joined about the mortgage tax, and still higher loom the personal schemes of three Republican Senators acting as Independents, but the actual cause of the Senate's action yesterday probably lay below.

This theory, of course, rests on the well-justified conviction that the three insurgent Republicans, BRACKETT, BROWN and ELSBERG, who, by turning against BAKER, converted what might have been a winning Republican majority of 26 into an impotent minority of 23, are at the Governor's service whenever called upon.

BAKER was beaten, we imagine, because Governor ODELL did not wish him to be confirmed. The Railroad Commission, with all that it has of political power, may still be gathered into the OdeLL camp.

\$100 for Blisley—\$5,000 Wanted.

Brig-Gen. McCOSKEY BUTT informs THE SUN that he will give \$100 toward the fund for sending an American rifle team to the Rifle Tournament at Blisley in search of the Palma trophy. This leaves \$7,900 still to be collected.

To clear the way for the raising of this amount, THE SUN again states that it will be used for no other purpose than the one intended. Should the subscriptions fall short of the amount needed to send the team abroad, they will be returned to the subscribers.

Col. APPLETON's addition of some secret history of the Seventh Regiment to what was known discloses the situation to have been this:

The Seventh was ready to serve during the Spanish war. The trouble arose from the regiment's desire to serve, not under Governor BLACK'S call for troops in pursuance of the President's request of the Governor of Spain, but in accordance with special appointment or call by the President. As the regiment's readiness to serve was the chief question at issue and as the common belief that it was not ready brought upon the regiment grave discredit, friends of the Seventh and of the National Guard will be gratified to learn the truth to the contrary.

The hopelessness of the attempt to bring about a general rising in Macedonia, and with it an intervention on its behalf by Bulgaria and Serbia, was made clear to the Macedonian Revolutionary Committee when the Greeks, both Government and people, showed that Greece not only would not aid the movement, but would actively side with the Turks. It was their reply to the understanding between the two countries when Greece went to war with Turkey in 1902.

The result of the Macedonian imbroglio has been to bring the minor Balkan and Danube States more directly than before under the control of Russia and Austria, and to prepare the way for the eventual administrative dispossession of the Turk in the western part of his European domain.

A Lawyer's Advertising Circular.

TO THE EDITOR OF THE SUN.—A communication recently circulated among the bar of this city reveals an advocate ready to grapple with any case or bloodstained question on the trail of an advertisement. The subject of the communication is a circular which he has just received from a lawyer in New York City. It is in the following words:

"The subject is one of the treatment of which might readily degenerate into green-bag humor or could be interestingly illustrated by extracts from the advertising columns of country newspapers. But it is too serious for that. We are leaving far behind us the ancient idea of a barrister indifferent to that honorarium which he could neither ask nor sue for when we are asked to encourage the establishment of a class of barristers who are advertising their readiness to do business at the old stand, or at a temporary stand, at stipulated rates."

All replies to this communication, whether favorable or adverse, can be forwarded to the Committee on Delays in the Administration of Retainers, expected shortly to sit in this country and elsewhere.

APRIL 16. ELMOR MANFIELD BLACKSTONE.

Farmers Making More Money Than Traders.

From the Cleveland Plain Dealer.

Are the farmers of the West exacting too great a profit upon their investments? Ought they not to be content with lower prices, and should not the action of the Federal authorities be invoked, as it is against the steel, oil and sugar producers, to prevent foodstuffs producers from growing suddenly and enormously rich at the expense of the great customer population of the country?

These questions were presented in a little pamphlet prepared by Prof. Davidson of the social economy department of the State University, showing that not even the tobacco or the steel trust is reaping as big dividends from its investments as the farmers of the State of Nebraska.

Cortlandt Street Ninth Avenue Station.

TO THE EDITOR OF THE SUN.—Why is there only one narrow station to Cortlandt street Ninth avenue station? Next to the busiest station on the road, in the rush hours it often takes from ten to fifteen minutes to get on or off the platform, the single flight on either side being jammed with a struggling crowd. Small upturns have been made at either end of the platform.

New York, April 15. J. WALTON.

CUBA'S PRESENT COMMERCE AND INDUSTRY.

HAVANA, April 12.—Of our political and administrative achievements in the island of Cuba the American public have had almost a surfeit. They have heard of the marvelous accomplishments of the Military Governor. Public attention has been centered both on his work and on his alleged work. Much has been said and written concerning Cuba's political, educational and sanitary redemption. All these are eminently important departments in governmental life; yet, individually or collectively, they are not fundamental.

Of that grave economic problem, so vital in Cuba, as in all other lands, with which the great mass of the Cuban people were and still are most deeply concerned, comparatively little has been said except by a few special correspondents, whose reports have received only a comparatively limited circulation. As a result of this, American public opinion regarding Cuba, the Cubans and Cuban affairs has been cast in a narrow, one-sided and often seriously distorted mold. The Military Governor was, quite naturally, very desirous that his administration should be displayed to the American people in the most favorable of lights. His position enabled him to find willing instruments to do the displaying. The recently exposed "Capt. Bellairs," the personal friend and protégé of the Military Governor, made a very effective showman. His connection with an extensive news organization placed in his hands the means of a far-reaching influence. The result has been that the American people have too largely lost sight of matters of really fundamental importance. The United States did not go to Cuba to make individual reputations, but to redeem a people.

The original provoking cause of Cuba's century of unrest and occasional revolt lay in her protest against the restrictions which Spain imposed upon her industrial and commercial life. Certainly in its inception, and to a large extent in its continued activities, political revolution in Cuba was a means to an end, industrial and commercial freedom, rather than a movement to obtain national independence as an institution. Such independence was not a general ambition even as late as 1896 and 1897.

A broader political life, with more of political self-control, was desired. But it was desired chiefly for the purpose of escaping the exactions imposed upon Cuban industries and the restrictions imposed upon her commerce. It is not to be doubted that had Spain conceded and really established in 1894 that autonomy which she conceded and nominally established in 1897, under Gen. Blanco, there would have been no revolution in 1895. Cuba's real object, aim and desire was industrial freedom rather than political independence. Denied this by Spain, revolt and national independence became the only channel to its attainment. But this statement is not to be taken too broadly. It was not the large property owners who were most active in fomenting the insurrection. Many, probably most, of this class belonged to the autonomist party. A comparatively small group of extremists took advantage of the known sentiments of the property owners and prominent Cubans and instituted a movement which swept many of the more conservative of their feet and whirled them along in the wake of revolution. Cuba's desire for political reform rested fundamentally upon her desire for industrial and commercial reform. In the development of that aim political independence became a fixed idea in the minds of some. They set in motion a tide which national independence became the only channel to its attainment. But this statement is not to be taken too broadly. It was not the large property owners who were most active in fomenting the insurrection. Many, probably most, of this class belonged to the autonomist party. 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